

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SRPINGFIELD LIBRARY AND MUSEUM  
ASSOCIATION, INC.,

Plaintiff,

v.

KNOEDLER ARCHIVUM, INC. f/k/a  
M. KNOEDLER & COMPANY, INC.,  
Defendant.

Civil Action  
No. 03-CV-30219-MAP

**DEFENDANT'S MOTION FOR JUDGMENT ON THE PLEADINGS  
AND REQUEST FOR A HEARING**

Defendant Knoedler Archivum, Inc. ("Knoedler") moves, pursuant to Fed. R. Civ. P. 12(c), for judgment on the pleadings with respect to all counts of the plaintiff's Amended Complaint. Judgment on the pleadings is appropriate because the statute of limitations bars each of plaintiff's claims. The Chapter 93A claim should be dismissed for the additional reason that Chapter 93A is not retroactive to 1955.

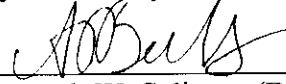
For the reasons stated in the accompanying Memorandum in Support of this motion, the Court should order that judgment be entered for the defendant.

**REQUEST FOR HEARING**

Knoedler requests a hearing on its Motion for Judgment on the Pleadings.

KNOEDLER ARCHIVUM, INC.

By its attorneys,



Kenneth W. Salinger (BBO #556967)

Amy J. Berks (BBO #652491)

PALMER & DODGE LLP

111 Huntington Avenue

Boston, MA 02199

(617) 239-0100

ksalinger@palmerdodge.com

aberks@palmerdodge.com

*Of Counsel:*

Andrius R. Kontrimas

Texas State Bar No. 11672300

Kerry M. McMahon

Texas State Bar No. 00797053

JENKENS & GILCHRIST, P.C.

1401 McKinney, Suite 2700

Houston, TX 77010

CERTIFICATE OF SERVICE

I hereby certify that I caused a true copy of the above document to be served upon the attorney of record for each other party by mail on September 15, 2003.

